

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: Luz M. Norton

Case No.: 16-28606

Judge: JKS

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS - AMENDED

☐ Original

☒ Modified/Notice Required

Date: July 11, 2019

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☒ DOES ☐ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY
SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney RLI Initial Debtor: LMN Initial Co-Debtor _____

Part 1: Payment and Length of Plan

- a. The debtor shall pay 259.77 Monthly* to the Chapter 13 Trustee, starting
on October 1, 2016 for approximately 60 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
- ☒ Future Earnings
 - ☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
- ☐ Sale of real property
Description:
Proposed date for completion: _____
 - ☐ Refinance of real property:
Description:
Proposed date for completion: _____
 - ☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or
loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

☒ NONE

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter
13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the
debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Russell L. Low 4745	Attorney Fees	2,500.00

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
WELLS FARGO BANK NV NA	31 Clinton Place Unit 4 Morristown, NJ 07960 Morris County	17,593.80	0.00	17,593.80	251.34

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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-NONE-							
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ■ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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f. Secured Claims Unaffected by the Plan □ NONE

The following secured claims are unaffected by the Plan:

Creditor

M & T BANK

g. Secured Claims to be Paid in Full Through the Plan ■ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
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Part 5: Unsecured Claims ■ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

☐ Not less than \$_____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ■ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- Upon Confirmation
□ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: September 26, 2018.

Explain below why the plan is being modified:	Explain below how the plan is being modified:
The Plan is being modified because a loan modification has been completed for the 1st mortgage and the 2nd mortgage post-petition arrearage are to be paid through the plan with regular post-petition payments to resume outside of the Plan starting July 2019.	Arrearage in the amount of \$17,593.80 are being proposed to be paid to Wells Fargo (2nd mortgage) and the trustee payment is increasing to \$428.63 starting July 1, 2019.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☒ Explain here:

*This plan is a step plan or has lumpsum payments as follows: \$259.77 per month for 4 months, then \$335.00 per month for 29 months, then \$428.63 per month for 27 months

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: July 11, 2019	/s/ Luz M. Norton Luz M. Norton Debtor
Date: _____	Joint Debtor
Date: July 11, 2019	/s/ Russell L. Low Russell L. Low 4745 Attorney for the Debtor(s)

Imaged Certificate of Notice Page 7 of 8

United States Bankruptcy Court
District of New JerseyIn re:
Luz M Norton
DebtorCase No. 16-28606-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 36

Date Rcvd: Jul 12, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 14, 2019.

db
cr
+Luz M Norton, 31 Clinton Place, Unit 4, Morristown, NJ 07960-6805
+U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER, Phelan Hallinan & Schmieg, PC,
400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
516419662 +AMEX, PO BOX 297871, FORT LAUDERDALE, FL 33329-7871
516419663 +ANNIE SEZ, 401 HACKENSACK AVE, HACKENSACK, NJ 07601-6411
516419664 +AURORA BANK, POB 1706, SCOTTSBLUFF, NE 69363-1706
516419665 +BK OF AMER, 4909 SAVARESE CIR, TAMPA, FL 33634-2413
516419667 +CBNA, PO BOX 6189, SIOUX FALLS, SD 57117-6189
516419668 +CHASE CARD, PO BOX 15298, WILMINGTON, DE 19850-5298
516419669 +CHASE MTG, PO BOX 24696, COLUMBUS, OH 43224-0696
516419678 +MANDEES, 401 HACKENSACK AVE, HACKENSACK, NJ 07601-6411
516419679 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
(address filed with court: NATIONSTAR MORTGAGE LL, 350 HIGHLAND DR, LEWISVILLE, TX 75067)
516419680 +PARDA FEDERAL CREDIT U, 2601 CAMBRIDGE CT STE 21, AUBURN HILLS, MI 48326-2569
516419682 +RUSHMORE LOAN MGMT SER, 15480 LAGUNA CANYON RD S, IRVINE, CA 92618-2132
516419686 +THD/CBNA, PO BOX 6497, SIOUX FALLS, SD 57117-6497
516419687 +TOWN NORTH BANK, PO BOX 814810, DALLAS, TX 75381-4810
516419688 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
(address filed with court: TOYOTA MOTOR CREDIT, 4 GATEHALL DR STE 350,
PARSIPPANY, NJ 07054)
518263828 +U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 ET.AL., CALIBER HOME LOANS, INC.,
BANKRUPTCY DEPARTMENT,, 13801 WIRELESS WAY, OKLAHOMA CITY OK 73134-2500
516419689 +WELLS FARGO BANK, PO BOX 14517, DES MOINES, IA 50306-3517
516419690 +WELLS FARGO BANK NV NA, P O BOX 31557, BILLINGS, MT 59107-1557
516419691 +WF/WB, PO BOX 3117, WINSTON SALEM, NC 27102-3117
516626076 Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F,
Des Moines, IA 50306-0438
516537233 Wells Fargo Bank, N.A., Home Equity Group, 1 Home Campus MAC X2303-01A,
Des Moines, IA 50328-0001

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 13 2019 00:24:47 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 13 2019 00:24:43 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
516419666 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 13 2019 00:26:34 CAPITAL ONE,
15000 CAPITAL ONE DR, RICHMOND, VA 23238
516419671 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 13 2019 00:24:27 COMENITY BANK/ANNTYLR,
PO BOX 182789, COLUMBUS, OH 43218-2789
516419672 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 13 2019 00:24:27 COMENITY BANK/DRESSBRN,
PO BOX 182789, COLUMBUS, OH 43218-2789
516419673 E-mail/Text: mrdiscen@discover.com Jul 13 2019 00:23:27 DISCOVERBANK, PO BOX 15316,
WILMINGTON, DE 19850
516419674 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 13 2019 00:24:27 FASHION BUG,
PO BOX 84073, COLUMBUS, GA 31908-4073
516419675 +E-mail/Text: bncnotices@becket-lee.com Jul 13 2019 00:23:41 KOHLS/CAPONE,
N56 W 17000 RIDGEWOOD DR, MENOMONEE FALLS, WI 53051-7096
516419676 E-mail/Text: camanagement@mtb.com Jul 13 2019 00:24:17 M & T BANK, 1 FOUNTAIN PLZ,
BUFFALO, NY 14203
516638430 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 13 2019 00:28:10
Portfolio Recovery Associates, LLC, c/o Parda Federal Credit Union, POB 41067,
Norfolk VA 23541
516419683 +E-mail/PDF: gecsed@recoverycorp.com Jul 13 2019 00:26:25 SYNCB/CARE CREDIT,
C/O PO BOX 965036, ORLANDO, FL 32896-0001
516419684 +E-mail/PDF: gecsed@recoverycorp.com Jul 13 2019 00:27:55 SYNCB/GAP, PO BOX 965005,
ORLANDO, FL 32896-5005
516419685 +E-mail/PDF: gecsed@recoverycorp.com Jul 13 2019 00:27:12 SYNCB/LORD & TAY, PO BOX 965015,
ORLANDO, FL 32896-5015
516642919 +E-mail/Text: ECMBKMail@Caliberhomeloans.com Jul 13 2019 00:25:50
U.S. Bank Trust, N.A., et al, c/o Caliber Home Loans, 13801 Wireless Way,
Oklahoma City, OK 73134-2500

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr* +U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER, Phelan Hallinan & Schmieg, PC,
400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
516419670* +CHASE MTG, PO BOX 24696, COLUMBUS, OH 43224-0696
516419677* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 626 COMMERCE DRIVE, AMHERST NY 14228-2307
(address filed with court: M & T BANK, 1 FOUNTAIN PLZ, BUFFALO, NY 14203)
516419681* +PARDA FEDERAL CREDIT U, 2601 CAMBRIDGE CT STE 21, AUBURN HILLS, MI 48326-2569

TOTALS: 0, * 4, ## 0

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 36

Date Rcvd: Jul 12, 2019

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 14, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 11, 2019 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com
Brian C. Nicholas on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Craig Scott Keiser on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST craig.keiser@phelanhallinan.com
Kevin M. BATTERY on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST bkyefile@rasflaw.com
Marie-Ann Greenberg magecf@magtrustee.com
Michael Frederick Dingerdissen on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com
Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com
Russell L. Low on behalf of Debtor Luz M Norton rbear611@aol.com, ecf@lowbankruptcy.com;r57808@notify.bestcase.com
Sherri Jennifer Smith on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com, nj.bkecf@fedphe.com
Sherri Jennifer Smith on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com, nj.bkecf@fedphe.com
Sindi Mncina on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST smncina@rascrane.com
Steven P. Kelly on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST skelly@sterneisenberg.com, bkecf@sterneisenberg.com
William M.E. Powers on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com
William M.E. Powers, III on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com
TOTAL: 14